

MENOMINEE TRIBAL LEGISLATURE – RECESSED REGULAR
MAY 10, 2010
MENOMINEE TRIBAL OFFICE BOARD ROOM
KESHENA, WI 54135
5:00 P.M.

MEMBERS PRESENT:

Laurie A. Boivin, Tribal Chairwoman
Randal Chevalier (*Late – arrived at 5:35 p.m.*)
Lynnette A. Miller
Myrna R. Warrington
Lisa S. Waukau
Kenneth A. Fish
David A. Miller
Rebecca D. Alegria (*Late – arrived at 5:12 p.m.*)

MEMBERS ABSENT:

Bruce Pecore – (*Excused Absence*)

1. Call to Order – Roll Call.

Chairwoman Boivin called the recessed meeting to order at 5:00 PM. Roll Call was taken with a quorum present.

16. Approve Agenda, Meeting Date, and Time for Annual General Council on Gaming.

MOTION BY DAVID MILLER TO APPROVE THE AGENDA FOR THE ANNUAL GENERAL COUNCIL ON GAMING FOR SATURDAY, JUNE 26, 2010 AT 9:00 A.M. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 5 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 3 ABSENT (ALEGRIA, CHEVALIER, & PECORE).

PLEASE NOTE: Legislator Alegria arrived at 5:12 p.m.

17. 2010-2012 Special Committee on State-Tribal Relations Appointment.

MOTION BY LISA WAUKAU THAT THE CHAIRMAN OF THE MENOMINEE TRIBAL LEGISLATURE BE THE APPOINTEE OR A DESIGNEE FOR THE SPECIAL COMMITTEE ON STATE AND TRIBAL RELATIONS FOR THE STATE OF WISCONSIN. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (CHEVALIER & PECORE).

18. Re-Affirm Poll Vote Regarding Resolution No. 10-17 Resolution Approving 401 (K) Plan and Associated Documents.

On April 29, 2010, the Executive Secretary (Debra Bowman) was requested to poll vote the Menominee Tribal Legislature to approve Resolution No. 10-17 titled "*Resolution Approving the 401 (K) Plan and Associated Documents.*" The vote was as follows: 7 for, 1 opposed (FISH), and 1 abstention (PECORE).

PLEASE NOTE: Legislator Fish qualified his opposition as follows: "*I'm opposed for the reason that the Constitution doesn't allow for poll voting; specifically it calls for special and emergency meetings of the Menominee Tribal Legislature; therefore, if we knew about it on the 23rd of April when the notice was given, and the Legislature met at a hearing on April 28, 2010 it could have been taken up by the Menominee Tribal Legislature.*"

Legislator Pecore qualified his abstention as follows: "*I'm abstaining because I don't have any information in front of me, and I don't know what our current plan or if our current employees are happy with it and what is the state of the plan at this time as far as returns that our employees are getting in on or are we just losing money?*"

MOTION BY LYNNETTE MILLER TO RE-AFFIRM THE POLL VOTE TAKEN ON APRIL 29, 2010 APPROVING RESOLUTION NO. 10-17 RESOLUTION APPROVING 401 (K) PLAN AND ASSOCIATED DOCUMENTS. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 5 FOR, 1 OPPOSED (FISH), 0 ABSTENTIONS, AND 2 ABSENT (CHEVALIER & PECORE).

PLEASE NOTE: Legislator Fish qualified his opposition as follows: *"I'm opposed for the reason that the Constitution doesn't allow for poll voting; specifically it calls for special and emergency meetings of the Menominee Tribal Legislature; therefore, if we knew about it on the 23rd of April when the notice was given, and the Legislature met at a hearing on April 28, 2010 it could have been taken up by the Menominee Tribal Legislature."*

19. **Resolution No. 10-___ U.S. Department of Health and Human Services Administration for Children and Families & Menominee Nation Early Childhood Program.**

MOTION BY LISA WAUKAU TO APPROVE RESOLUTION NO. 10-18 U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION FOR CHILDREN AND FAMILIES AND MENOMINEE NATION EARLY CHILDHOOD PROGRAM AND TO WAIVE THE READING AND TO AUTHORIZE THE SIGNATURES. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT CHEVALIER & PECORE).

20. **Resolution No. 10-___ U.S. Department of Health and Human Services Administration for Children and Families & Menominee Nation Early Head Start Program.**

MOTION BY LYNNETTE MILLER TO APPROVE RESOLUTION NO. 10-19 U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION FOR CHILDREN AND FAMILIES AND MENOMINEE NATION EARLY HEAD START PROGRAM WAIVE THE READING AND AUTHORIZE THE SIGNATURES. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT CHEVALIER & PECORE).

21. **Resolution No. 10-___ Resolution Designating Representatives to the Fox River/Green Bay Natural Resource Trustee Council.**

MOTION BY REBECCA ALEGRIA TO APPROVE RESOLUTION NO. 10-20 RESOLUTION DESIGNATING REPRESENTATIVES TO THE FOX RIVER/GREEN BAY NATURAL RESOURCE TRUSTEE COUNCIL WAIVE THE READING AND AUTHORIZE CHAIRWOMAN LAURIE BOIVIN AND TRIBAL SECRETARY LYNNETTE MILLER TO SIGN. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT CHEVALIER & PECORE).

22. **Resolution No. 10-___ Support the Application for Funding under the US-DOJ Coordinated Tribal Solicitation Grant Program.**

Administrative Service Manager, Jeremy Weso provided MTL with an updated cost analysis for the application to the U.S. Department of Justice (DOJ) for the grant application. He stated that the larger change was due to Law Enforcement requesting a \$1 million expansion to the Jail, and the required match would have been 10%, which would have required a \$100,000 match. At the last Budget & Finance Committee meeting the Chief of Police, Mark Waukau Sr. reported to the Committee that he would not pursue that portion of that grant opportunity, because of the cost and that the \$1 million dollars available in that grant would not be sufficient to do the renovations they wanted. This is a combined application, and a lot of Tribe's requested to do a combined application process and split the grant amongst each other, but the Tribe was hesitant to participate with sharing the dollars.

PLEASE NOTE: Legislator Chevalier arrived at 5:35 p.m.

MOTION BY LYNNETTE MILLER TO APPROVE RESOLUTION NO. 10-21 SUPPORT OF APPLICATION FOR FUNDING UNDER THE US-DOJ COORDINATED TRIBAL SOLICITATION GRANT PROGRAM WAIVE THE READING AND AUTHORIZE SIGNATURES. SECOND WAS BY REBECCA ALEGRIA. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

23. Resolution No. 10-__ Membership to National Indian Gaming Association.

Chairwoman Boivin informed MTL that our fees of \$7,500 has been paid in full in December for this year, but the Resolution was required to update the names of new Legislator's.

MOTION BY REBECCA ALEGRIA TO APPROVE MENOMINEE INDIAN TRIBAL RESOLUTION NO. 10-22 MEMBERSHIP TO NATIONAL INDIAN GAMING ASSOCIATION WAIVE THE READING AND AUTHORIZE MENOMINEE CHAIRWOMAN LAURIE BOIVIN AND SECRETARY LYNNETTE MILLER TO SIGN. SECOND WAS BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

24. Other Business – Matters of an Immediate Nature that Cannot Wait Until the Next Meeting.

This agenda item was concluded at the last meeting held on May 6, 2010.

25. 1st Consideration of Amendment to Ordinance No. 83-8 Fireworks Control and Regulation. (Sponsored By Legislator Bruce Pecore).

MOTION BY REBECCA ALEGRIA TO APPROVE 1ST CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 83-8 FIREWORKS CONTROL AND REGULATION AND MOVE IT TO PUBLIC HEARING ON MAY 20, 2010 AT 4:30 P.M. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

26. 1st Consideration of Amendment to Ordinance No. 09-16 FY' 2010 Tribal Budget. (Sponsored by Legislator Lisa Waukau, David Miller, and Bruce Pecore).

MOTION BY LYNNETTE MILLER FOR 1ST CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 09-16 FISCAL YEAR 2010 TRIBAL BUDGET AND SEND IT TO PUBLIC HEARING ON MAY 20, 2010 AT 4:30 P.M. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

27. Final Approval of Amendment to Ordinance No. 97-13 All-Terrain Vehicle Regulations (Sponsored by Legislator Bruce Pecore).

Tribal members were present questioning the changes to be made to the ATV Ordinance after all the public hearing comments have been previously heard. Because there were so many Public Hearing comments given, this Ordinance was sent back to the Enforcement Resource and Protection Committee to address everyone of those comments and reconsider implementing them into the Ordinance. Some Tribal members stated that they did not know that there was a Public Hearing for this ATV Ordinance, and requested the Legislature to reconsider their comments to the Ordinance before finalizing the Ordinance.

Legislator Fish was stated that the Enforcement Resource and Protection Committee or the Public Hearing minutes were not provided in their meeting packets before the Final Approval to the Ordinance so that they could review and vote on them.

Chairwoman Boivin informed MTL to review Attorney Lindzey Grall's memo regarding the public hearing minutes, because she outlined them for the Legislature to consider in her memo. All MTL had to do was vote on the requested changes. She also informed them that this Ordinance has been on the table long enough and they either could vote on them or send it back to Committee again for further review.

MOTION BY DAVID MILLER TO THE AFFECT THAT THE REGISTRATION FEE FOR THE ALL TERRAIN VEHICLES BE \$35.00 FOR EVERY TWO (2) YEARS. (AMENDMENT TO ORDINANCE NO 97-13) SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 6 FOR, 1 OPPOSED (ALEGRIA), 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

PLEASE NOTE: Legislator Alegria qualified her opposition as follows: "I'll defer it."

MOTION BY MYRNA WARRINGTON THAT NO PERSON UNDER THE AGE OF 12 SHALL OPERATE AN ATV, AND PERSONS AGES 12 – 16 MUST SUCCESSFULLY COMPLETE AN APPROVED ATV SAFETY COURSE BY OCTOBER 1, 2010, AND MUST CARRY DOCUMENTATION SHOWING SUCCESSFUL COMPLETION OF SAID SAFETY COURSE WHILE OPERATING AN ATV, AND PASSENGERS UNDER THE AGE OF 16 ARE ONLY ALLOWED TO RIDE AN ATV WITH A PERSON OVER THE AGE OF 18. (AMENDMENT TO ORDINANCE NO. 97-13) SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

MOTION BY DAVID MILLER THAT SECTION 5.09 READ: "ALL ATV'S OPERATORS UNDER THE AGE OF 18 ARE REQUIRED TO WEAR A PROTECTIVE HELMET, UNLESS THE OPERATION IS AGE 18 OR OLDER, OR UNLESS THE OPERATION OF THE ALL-TERRAIN VEHICLE IS FOR THE PURPOSE OF ANIMAL HUSBANDRY." (AMENDMENT TO ORDINANCE NO. 97-13) SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 5 FOR, 0 OPPOSED, 2 ABSTENTIONS (FISH & CHEVALIER), AND 1 ABSENT (PECORE).

PLEASE NOTE: Legislator Fish qualified his abstention as follows: "the average Menominee, and you can make it simple; if you're under the age of 18 or older and you're out in the woods you don't have to wear a helmet. You don't have to wear a helmet."

Legislator Chevalier did not state his abstention.

MOTION BY MYRNA WARRINGTON THAT WE PUT IN THE LANGUAGE TO SECTION 5.06 TO READ: "WITH ANY FIREARMS IN HIS OR HER POSSESSION UNLESS IT IS ENCLOSED IN A CARRYING CASE, OR IN A COMMERCIALLY MANUFACTURED RACK, AND THAT IT BE IN ACCORDANCE WITH THE FIREARMS ORDINANCE." (AMENDMENT TO ORDINANCE NO. 97-13) SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

MOTION BY MYRNA WARRINGTON THAT SECTION IV STATE: "THAT A TRIBALLY ISSUED ATV LICENSE PLATE SHALL BE AFFIXED TO ALL-TERRAIN VEHICLES AT ALL TIMES AND HAVE THAT IN PLACE BY OCTOBER 1, 2010, AND THAT BE PRORATED FOR CURRENT STICKERS TO THE REAR OF THE ATV." (AMENDMENT TO ORDINANCE NO. 97-13) SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 6 FOR, 1 OPPOSED (CHEVALIER), 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

PLEASE NOTE: Legislator Chevalier did not qualify his opposition.

MOTION BY MYRNA WARRINGTON THAT SECTION 5.15 BE ADDED TO STATE THAT: "AN ALL-TERRAIN VEHICLE SHALL NOT EXCEED 10 MILES PER HOUR UNDER THE POSTED SPEED LIMIT,

AND EXCEPTIONS BE MADE FOR NAVIGATING FROM ONE TRAIL TO ANOTHER OVER PAVED ROADS.” (AMENDMENT TO ORDINANCE NO. 97-13) SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

MOTION BY KENNETH FISH THAT WE AMEND THE ORDINANCE TO INCLUDE LANGUAGE THAT WHERE PRACTICAL TO RIDE FROM ONE TRAIL TO ANOTHER AND TRAVELING ON A PAVED ROAD IS NECESSARY.

PLEASE NOTE: There was no second to the motion, therefore; the motion died.

MOTION BY RANDAL CHEVALIER TO APPROVE THE AMENDMENT TO ORDINANCE NO. 97-13 ALL TERRAIN VEHICLE REGULATIONS WITH THE APPROVED CHANGES. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

- 28. Final Approval of Amendment to Ordinance No. 09-29 FY’ 2010 Menominee Tribal Clinic Third-Party Revenue Appropriation (*Sponsored by Legislator’s David Miller & Lynnette Miller*).**

MOTION BY LYNNETTE MILLER TO APPROVE MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE FINAL APPROVAL TO AMENDMENT TO ORDINANCE NO. 09-29 FISCAL YEAR 2010 MENOMINEE TRIBAL CLINIC THIRD – PARTY REVENUE APPROPRIATIONS. SECOND WAS BY DAVID MILLER. THE MOTION CARRIED: 6 FOR, 1 OPPOSED (FISH), 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

PLEASE NOTE: Legislator Fish qualified his opposition as follows: *“I asked at the 1st reading to have the big picture of the Tribal Clinic’s budget brought forward to us and it’s not here.”*

- 29. Travel Authorization Requests; & Report Recommendations.**

There were no travel authorization requests at this time.

The Legislature commented that the format of the Legislative Time on Task report recommendations is in a good format, but it should be completed and updated at every meeting. In addition, the Chairman’s Office was requested to develop name tags for all Legislative members to wear whenever they attend meetings or special functions. It was decided that they would shadow the name tags of the College of Menominee Nation’s that are made out of real wood with the great seal, their names, and titles.

- 30. Approval of Minutes: 1) February 9, 2010 – Organizational; 2) February 18, 2010 – Regular; 3) February 19, 2010 – Recessed Regular; & 4) February 27, 2010 – Special.**

- 1) February 9, 2010 – Organizational;**

MOTION BY DAVID MILLER TO APPROVE THE ORGANIZATIONAL MEETING MINUTES OF THE MENOMINEE TRIBAL LEGISLATURE OF FEBRUARY 9, 2010. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

- 2) February 18, 2010 – Regular;**

MOTION BY RANDAL CHEVALIER FOR APPROVAL OF THE FEBRUARY 18, 2010 REGULAR MEETING MINUTES WITH CORRECTIONS. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

3) February 19, 2010 – Recessed Regular; &

MOTION BY LYNNETTE MILLER TO APPROVE THE FEBRUARY 19, 2010 RECESSED REGULAR MEETING MINUTES WITH ANY CORRECTIONS. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

4) February 27, 2010 – Special.

MOTION BY RANDAL CHEVALIER FOR APPROVAL OF THE MEETING MINUTES OF SATURDAY, FEBRUARY 27, 2010 SPECIAL MEETING. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

31. Committee Reports and Recommendations:

a. Forest Management Plan Task Force of April 15, 2010.

- i. Request Legal to Develop a Similar Format to Identify the Roles of the BIA Trust Responsibility.**

MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE FOREST MANAGEMENT PLAN TASK FORCE OF APRIL 15, 2010 TO RECOMMEND TO THE LEGISLATURE TO REQUEST THE LEGAL DEPARTMENT TO DEVELOP, IN A SIMILAR FORMAT TO THE BIA TRUST RESPONSIBILITY, THE SEPARATE ROLES AND RESPONSIBILITIES OF THE MENOMINEE TRIBAL LEGISLATURE, AND THE MENOMINEE TRIBAL ENTERPRISES. NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

b. Community Development Committee of April 20, 2010.

- i. Request Approval to Amend Ordinance No. 09-25 – Program Lease;**

MOOT – Previously taken up under agenda item number 6.

- ii. Request Approval of Program Lease for Tribal Utilities;**

MOOT – Previously taken up under agenda item number 9.

- iii. Request Approval to Cancel Residential Leases;**

MOOT – Previously taken up under agenda item number 5.

- iv. Request Approval for Residential Lease Requests;**

MOOT – Previously taken up under agenda item number 7.

- v. Request Approval for Recreational Lease Requests;**

MOOT – Previously taken up under agenda item number 8.

- vi. Request Approval to get a Response from Legal regarding the Abandoned Culverts & Variance Issues;**

MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF APRIL 20, 2010 TO RECOMMEND TO THE LEGISLATURE THAT THEY INSTRUCT MR. KUSSEL ON GETTING A RESPONSE TO THE COMMITTEE ON THE ABANDONED

CULVERTS AND TO COMPLETE THE AMENDMENT (VARIANCE ISSUE) FORMATTING FOR LEGISLATIVE APPROVAL. NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

vii. Request Approval for MISD Class of 2010 Graduation to have Electricity in bowl; &

MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF APRIL 20, 2010 TO RECOMMEND TO THE LEGISLATURE TO APPROVE THE REQUEST FROM THE MISD CLASS OF 2010 ALLOWING THEM TO HAVE ACCESS TO ELECTRICITY, LIGHTS IN THE BOWL AND PARKING AREA, THAT THE BATHROOM IS OPEN FOR USE, AND TO WAIVE ALL FEES ASSOCIATED WITH THIS REQUEST. NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

viii. Request Approval to Amend the MTL Motion on January 7, 2010 to Reflect July 17, 2010.

MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF APRIL 20, 2010 TO RECOMMEND TO THE LEGISLATURE TO AMEND THE MTL MOTION DATED JANUARY 7, 2010 TO READ JULY 17, 2010 AND NOT 2011. *(TO ALLOW CAROL SKENADORE TO UTILIZE THE WOODLAND BOWL ON JULY 17, 2011 WITH THE ADDITION OF THE UPDATE TO ARTICLE V – STATING “NO DRUG USE.”)*. NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

c. Enforcement and Resource Development Committee of April 21, 2010

i. Request Approval to Amend Ordinance No. 83-08 Fireworks Control & Regulations;

MOOT – Previously taken up under agenda item number 25.

ii. Request Legal to Prepare a Response to the Wisconsin Department of Natural Resources;

MOTION BY KENNETH FISH TO CONCUR WITH ENFORCEMENT AND RESOURCE PROTECTION COMMITTEE OF APRIL 21, 2010 THAT THE RESPONSE FROM THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES DATED APRIL 19, 2010 BE SENT TO THE LEGISLATURE AND THAT THE LEGAL DEPARTMENT REVIEW IT AND MAKE COMMENT ON IT AND HAVE A RESPONSE PREPARED BEFORE THE NEXT MENOMINEE TRIBAL LEGISLATURE MEETING. NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

iii. Request Approval for U.S. Department of Justice Funding Cash Match.

MOOT – Previously taken up under agenda item number 22.

d. Chapter 51/54/55 Task Force Committee of April 27, 2010.

i. Request the Legislature to consider the Two Options Provided.

MOTION BY KENNETH FISH TO HAVE THE DIRECTOR OF LEGAL SERVICES (WILLIAM KUSSEL JR.) DEVELOP A LEGAL OPINION LOOKING AT FULL FAITH AND CREDIT AND THE STATE OF WISCONSIN SUPREME COURTS TEAGUE DECISION ON THE RESPONSIBILITIES FOR 51/54.55 WISCONSIN STATE STATUTES ON WHAT OUR LEGAL POSITION WOULD BE ON LEGAL

STANDING, AND IT COME BACK IN FOURTEEN (14) DAYS. SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

PLEASE NOTE: Legislator Chevalier stated he was not aware that the Recording Clerk was going to put the options provided on the agenda for the second motion provided to MTL, because he was not ready for the budget requests to come forward yet. He requested that second action item not be taken up yet until it's actually ready to come forward.

e. Kurdistan Pro-Bono Ad Hoc Committee of April 29, 2010.

i. Request Traveler's Information;

Legislator Fish updated MTL on the traveler's information. He stated that Joseph Strohl is working with the traveler's information with the Kurdistan Ad-Hoc Recording Clerk. Therefore, the motion provided in the meeting packet was not ready for action.

ii. Request Complete Travel Itinerary; &

Legislator Fish updated MTL on the traveler's itineraries, and again stated that Joseph Strohl is working diligently with the State Department in obtaining the information required to complete all travel itineraries in a timely manner.

iii. Request Approval of Kurdistan Trip Budget.

MOTION BY KENNETH FISH TO CONCUR WITH KURDISTAN PRO-BONO AD HOC COMMITTEE OF APRIL 29, 2010 FOR ALL PARTICIPANTS; 3 LEGISLATIVE MEMBERS, 2 SINGERS, 2 MALE AND 2 FEMALE DANCERS BE PAID \$500 EACH, TOTALING \$5,686.00 TO COME FROM THE CONTINGENCY FUND, AND THAT COME FROM THE UNBUDGETED FUNDS. THIS SHOULD BE PAID IN CASH TO HAVE IN ADVANCE THE DAY OF TRAVEL. NO SECOND NECESSARY.

Legislator's questioned the budget, and if they were going to be claiming Time on Task upon their return. In addition, some MTL members could not approve this motion because of the budget constraints that were just implemented on May 6th, and could not understand the trip to visit the Kurdistan Regional Government while others understood the cultural exchange. Legislator Fish explained the budget submitted fully, but stated that the Chairman's Office budget would have to pay for the passports for individuals, and any other required documents to obtain a passport for individuals that did not have passports as those costs were not implemented into the budget requested.

THE MOTION CARRIED: 4 FOR, 2 OPPOSED (WARRINGTON & L. MILLER), 1 ABSTENTION (WAUKAU), AND 1 ABSENT (PECORE).

PLEASE NOTE: Legislator L. Miller qualified her opposition as follows: *"Well I think this is something good, but I just don't think we're in a financial position to support this request at this time."*

Legislator Warrington qualified her opposition as follows: *"I think it's pretty bad that we made all of our Tribal employees cut back on their time, their work time that use to support their families, and then you turn around and you do a trip like this which is a waste. Why should we make the people cut down, and then do a trip like this?"*

Legislator Waukau qualified her abstention as follows: *"No comment."*

32. 2010 Legislative Goals Progress Reports.

Legislator Warrington provided her update on the FMP.

Legislator L. Miller provided her update on the Lobbying Plan and stated that they should have it ready for final approval in the second meeting in June 2010.

Legislator D. Miller updated the MTL on the progress of the Conservation Ad-Hoc in amending Ordinance 99-01 and sitting criteria for the Conservation Commission. Legislator Chevalier stated that they would meet in Executive Session before they introduce their recommendations to the Conservation Commission.

All of the remaining Legislative Goals would be discussed in Executive Session.

33. **As per LRP 5.03 – EXECUTIVE SESSION: (A) Legal; – 1) Consultant Updates Regarding Design Agreement; 2) Department of Transit Audit; 3) Reaffirm Poll Vote for Property Purchase; & 4) Contract for Joseph A. Strohl; (B) Personnel; & (C) Gaming; - 1) Reconsideration of April 15, 2010 Motion; & 2) Kenosha Updates.**

MOTION BY DAVID MILLER TO GO INTO EXECUTIVE SESSION. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

***** EXECUTIVE SESSION NOT RECORDED *****

MOTION BY LISA WAUKAU TO COME OUT OF EXECUTIVE SESSION. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

(A) Legal;

- 1) Consultant Updates Regarding Design Agreement;**

There was no motion made after coming out of Executive Session.

- 2) Department of Transit Audit;**

MOTION BY RANDAL CHEVALIER TO APPROVE THE DEPARTMENT OF TRANSIT AUDIT. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

- 3) Reaffirm Poll Vote for Property Purchase; &**

Executive Secretary, Debra Bowman conducted a propriety poll vote to the Menominee Tribal Legislature on Monday, April 19, 2010. The vote was as follows: 7 for, 2 opposed (WAUKAU & PECORE), and 0 abstentions.

PROPRIETARY MOTION MADE BY REBECCA ALEGRIA. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

- 4) Contract for Joseph A. Strohl;**

MOTION BY REBECCA ALEGRIA TO APPROVE THE CONTRACT OF MENOMINEE INDIAN TRIBE AND JOSEPH A. STROHL FOR A PERIOD OF MAY 29, 2010 THROUGH MAY 28, 2011.

SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

(B) Personnel;

There was no motion made after coming out of Executive Session.

(C) Gaming;

1) Reconsideration of April 15, 2010 Motion; &

MOTION BY RANDAL CHEVALIER TO PASS THE MOTION FROM THE APRIL 15, 2010 MEETING BE A PROPRIETARY MOTION. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

2) Kenosha Updates.

There was no motion made after coming out of Executive Session.

34. Adjournment.

MOTION BY RANDAL CHEVALIER/REBECCA ALEGRIA. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (PECORE).

Meeting Adjourned at 9:05 P.M.

Respectively submitted by,



Debra A. Bowman, Recorder/Transcriber

EXECUTIVE SECRETARY, CHAIRMAN'S OFFICE